



CITY OF NEWTON, MASSACHUSETTS

Newton Commission on Disability

A G E N D A *

Date: August 8, 2011

Time: 6: 30 p.m.

Place: Room 209

Setti D. Warren
Mayor

Candace Havens
Director
Planning & Development

Kathleen Cahill
Community Development
Senior Planner

Members

Rob Caruso, Co-Chair
Girard Plante, Co-Chair
Jane Brown
Lucie Chansky
Jini Fairley
Rosemary Larking
John Lojek
Barbara Lischinsky
Susan Roberts

1. **Minutes:** Consideration of the approval of the minutes from the July 11, 2011 meeting of the Mayor's Committee for People with Disabilities {6:30}
2. **CDBG Report:** Projects funded with CDBG Access funds {6:35}
3. **Discussion and Action Item:** All Newton Music School Variance Application {6:50}
4. **Discussion:** Mayor's Code of Conduct {7:10}
5. **Discussion:** Draft Policy for HP Revenue {7:30}
6. **Discussion:** Hiring of a full-time ADA Coordinator {8:00}
7. **Report:** Members and public report on any issues of potential non-compliance in the City {8:15}
 - New England Mobile Book Fair; Newton District Court; Panera; HP Spaces – Pearl Street
8. **Other Business**

Next Meetings: September 12, October 8, November 1

1000 Commonwealth Ave.
Newton, MA 02459
T 617/796-1120
F 617/796-1142

www.newtonma.gov

*Supplementary materials are available for public review in the Planning Department in the Basement of City Hall by the Tuesday before the meeting. For more information **contact Trisha Guditz 617.796.1156.**

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, contact the Newton ADA Coordinator Trisha Guditz at 617-796-1156 or tguditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting.



CITY OF NEWTON, MASSACHUSETTS

Mayor's Committee for People with Disabilities

MEETING MINUTES

July 11, 2011

Setti D. Warren
Mayor

Candace Havens
Director
Planning & Development

Kathleen Cahill
Community Development
Senior Planner

Members

Rob Caruso, Co-Chair
Girard Plante, Co-Chair
Jane Brown
Lucie Chansky
Jini Fairley
Rosemary Larking
John Lojek
Barbara Lischinsky
Susan Roberts

Members Present:

Rob Caruso, Co-Chair
Lucie Chansky
Jini Fairley
Barbara Lischinsky
John Lojek
Girard Plante, Co-Chair

Staff Present:

Kathleen Cahill, Community Development Senior Planner

Public:

Alderman Vicki Danberg
Lucia Dolan
Heather Platt
Vassilios Valaes

Regrets:

Jane Brown
Rosemary Larking
Susan Roberts

R. Caruso called the meeting to order at 6:30 p.m.

1. Minutes: Consideration of the approval of the minutes from the June 13, 2011 meeting of the Mayor's Committee for People with Disabilities.

L. Chansky made a motion to approve the minutes, which were distributed in the Commission's packet and J. Lojek seconded the motion. The Commission voted 6-0-0 to approve the June meeting minutes.

2. CDBG Report: Projects funded with CDBG Access funds

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K. Cahill provided an update to the Commission on the CDBG funded access projects. H. Platt requested that the Carroll Center for the Blind be notified about the timeline for retrofitting the curb cuts at Centre Street and Cabot Street with detectable warnings. After the striping and signage for the HP space at Cold Spring is completed this project will be closed out. This is expected to occur in August. Currently, a total of \$11,530 is left in the Cold Spring Project. Once the project is complete staff will return to the Commission in order to determine a process for re-allocating the funds.

- 3. Discussion:** Alderman Danberg will explain the implementation of the new Snow Ordinance. Lucia Dolan, representing Newton Safe Sidewalks will also speak about the group's desire to work with the Commission on the Snow Ordinance

Alderman Danberg and Lucia Dolan spoke to the Commission concerning the new snow ordinance trial. Alderman Danberg has been working with Bob Rooney as well as several City Departments on the implementation of the trial. As part of this work the 311 system is being tweaked to categorize snow complaints and reports of shoveling violations more efficiently. H. Platt wondered who was responsible for clearing snow from the corners of sidewalks. This is the responsibility of the resident unless snow has been piled at the corner by plows.

Alderman Danberg explained that administering residential violations will largely be based on citizen complaints. However, she is working to get the Newton Police Department to patrol school and public transportation routes as well as villages. If a violation is reported a letter of non-compliance will be sent to the homeowner or business owner. Alderman Danberg is pushing for strict enforcement of the policy prohibiting snow dumping; violators will be fined \$300 a day.

B. Lischinsky believes that the Waban Village is neglected in terms of snow removal, especially the curb cuts and the pedestrian routes from the Waban T stop. Alderman Danberg requested that she send an email to Dave Turocy, Commissioner of Public Works, herself and Alderman Rice detailing these observations.

At the end of the snow ordinance trial Alderman Danberg will re-docket the item as an ordinance. At this point she will touch base with the Commission and will be encouraging letters of support to the NewtonTAB.

- 4. Discussion and Action Item:** Alderman Rice requesting review of the design for a proposed ramp at Waban Library and request for funding for a curb cut in front of Brigham House

Alderman Rice spoke to the Commission about the consideration that is being given by the City to move the polling location at Zervas School to the Waban Library. In order for the Waban Library to become a polling location it needs to have an accessible entrance. Alderman Rice has identified a company, AmRamp that will install a compliant metal ramp for approximately \$5,000. He distributed information on the quote and specifications submitted by AmRamp. Alderman Rice has also spoken with the City about paving and striping the existing parking lot and reconstructing the curb cuts on Woodward Street. The hope is to secure all the necessary approvals by September so installation can occur before the winter.

L. Chansky wondered how long the ramp was expected to last. According to conversations with AmRamp about existing ramps of this type, Alderman Rice expects the ramp to last 10 to 15 years. An assessment on all City buildings is being completed this summer. Based on the results of this assessment an application for an accessible walkway entrance into the Waban Library building and an accessible bathroom may be submitted.

L. Chansky made a motion that the Commission approve the ramp if the following conditions are met: the ramp is hidden from view by landscaping, the parking lot is paved and striped with HP spaces, and a long term goal of a permanent walkway into the building is established. J. Fairly seconded the motion and the Commission voted 6-0-0 to approve the ramp based on the established conditions.

5. Discussion and Action Item: Durant Kenrick Variance Application

Cindy Stone, Director of Historic Newton was present to answer the questions concerning the Durant Kenrick Variance Application which came up at the Commission's June meeting. A copy of the material that was submitted to the Massachusetts Architectural Access Board as part of the Durant Kenrick Variance Application was included in the Commission's packet. The Commission was very impressed with the level of thought and creativity that was given to creating accessibility in the century house. Members' overarching concern was that the proposed location of the video presentation of the second floor (non-accessible) historic bedrooms was in a room that had to be reached through a 30" door. This issue has been resolved by switching the layout of the second floor (the family learning center and the research library have been switched from the original layout). The video presentation will now be on a fully accessible route.

B. Lischinsky made a motion to support the Durant Kenrick Variance Application. J. Lojek seconded the motion and the Commission voted 6-0-0 to support the Durant Kenrick Variance Application through a letter to the Massachusetts Architectural Access Board.

6. Discussion: Fair Housing Committee and Newton Disability Commission collaboration

G. Plante attended the July meeting of the Fair Housing Committee during which the Accessibility Assessment completed by Barbara Chandler was discussed. At the meeting, he communicated what he believes to be highest priorities identified in the report. These priorities include:

- Creating awareness of accessibility problems and educating the community on overcoming the challenges that are confronting all people residing in Newton.
- Hiring a full-time ADA Coordinator.
- Updating the City of Newton's Section 504 plan and the ADA plan.
- Conducting an extensive/comprehensive survey of every accessible unit in Newton.
- Assisting in the creation of and embracing a new inspection model and aiding in the implementation of such a plan.

G. Plante indicated to the Fair Housing Committee that he was open to weighing in on recommendations and corresponding actions that are related to the Commission on Disability.

7. Report: Members and public report on any issues of potential non-compliance in the City

- New England Mobile Book Fair; Newton District Court; Panera; HP Spaces – Pearl Street

The City is continuing to work with the New England Mobile Book Fair to resolve the safety and access violations.

K. Cahill will check-in with Ann Schiro, Project Manager at the State about the status of resolving the access compliant (no accessible seating) at the Newton District Court before a formal complaint is made with the State.

A resident requested that one of the accessible spaces in the municipal lot on Pearl Street be relocated to the opposite corner in order to provide easier access to the restaurants and businesses on Galen Street. C. Schuckel, the City Traffic Engineer, would like to get feedback from the Commission on this proposed change. S. Roberts offered to drive-by this parking lot and provide feedback concerning this potential relocation. Item was not discussed since S. Roberts was not present.

The meeting adjourned at 9:00 p.m.

**Newton Commission on Disability
CDBG Access Projects Report
August 8, 2011**

Accessible Pedestrian Signals (Project CD10-03D. Expended, \$0; Budget balance: \$22,420). Centre St. and Centre Ave. is a priority intersection; however it is on-hold pending a final decision by the Newton Corner Advisory Committee (NCAC). The COD has the option to pursue these improvements independent of the NCAC. Installation of APS improvements at Washington St. and Commonwealth Ave. has been completed. The City has hired Dagle Electrical Construction to replace Republic ITS as the vendor for APS installation. A revised quote for the installation of APS on Washington Street by Newton-Wellesley Hospital was submitted by Dagle. According to information from Kathleen, Dagle's quote was less than the original quote, so no further action needs to be taken and discussion can begin with Dagle as to a schedule for installation.

Charlesbank Playground (Project CD0903C. Expended, \$22,872; Budget balance: \$7,125). Phase I includes new play equipment and swings on top of rubberized safety surfacing, a new accessible entrance ramp, accessible benches and picnic tables, and planting of new trees and shrubs. The project is 95% complete – all walkways, new sidewalks and the ramp have been installed as well as the play equipment and the rubberized safety surfacing. Awaiting grass establishment.

Cold Spring Park (Project CD1003A. Expended \$24,470; Budget balance: \$11,530). Project complete with the exception of HP striping and signage. It is recommended that the COD consider implementing Phase II of Cold Spring Park master plan with the remaining funds.

Curb Cuts (Project CD1003C, Expended: \$51,960 Budget balance: \$110,870; CD1103G, Budget Balance \$78,000). Work at Lowell @ Washington was delayed for a week at the request of Alderman Stephen Linsky for the purpose of conducting a traffic trial using an asphalt berm, but construction is expected to resume immediately. Design work for Walnut @ Lowell and Commonwealth @ Washington in process. Budget breakdown:

<i>Projects</i>		<i>Funds</i>
Lowell @ Washington:	\$142,000	FY10: \$110,870
Walnut @ Lowell:	\$20,000	FY11: \$78,000
<u>Commonwealth @ Washington:</u>	<u>\$60,000</u>	<u>FY12: \$35,460</u>
	\$222,000	\$224,330

Nahanton Accessible Pathway and Handicap Parking Space (CDR09-03, Expended: \$20,789.52; Budget balance: \$2,044.65) Project includes retrofitting park for handicap accessibility through the construction of an accessible pathway and the addition of a van accessible parking space. Construction began mid-September 2010. Accessible pathway complete, HP space installed (no striping), work on water mitigation complete. Striping

and signage to be done in August 2011.

Newton Community Service Center – Auditorium Ramp (CD11-03E, Budget balance: 5,000). Construction of an accessible ramp in the auditorium of the organization's Waltham Street location. The distribution of a bid package has been briefly delayed due to a design issue between NCSC's facilities manager and architect. Lowell will be seeking to help resolve the delay.

Historic Newton/The Jackson Homestead – Archives Preservation and Access (CD1103F, Budget balance \$40,000). Construction of an accessible ramp into the entrance of the Jackson Homestead. Design work being finalized.

Retrofitting Curb Cuts (Project CD0903E, Budget balance, \$6,000). A total of 7 locations (Homer Street, Beacon St. @ Dalton, Centre Green @ Langley, 1188 Centre Green, 82 Lincoln Street, 100 Walnut Street, 28 Commonwealth St) (19 curb cuts) were fitted with tactile warnings. Cabot Street and Sargent Street intersection added at 4/11 meeting – to be completed Summer 2011. A Memorandum of Understanding has been signed with DPW and we are awaiting word from Stephen Tocci concerning a timeline for the project.



Setti D. Warren
Mayor

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City of Newton Code of Conduct Policy

Mayor Warren appreciates your service as a member of the Newton

(enter name of board, commission or committee)

We look forward to working with you and we know you will make a meaningful contribution to our city.

To help make your time here a positive and pleasant experience for everyone, we want you to be familiar with the following code of conduct:

Safety is the #1 priority of this position. You are expected to use good judgment and caution while performing your role. We expect harmony among our board or commission members as well as the members of the City Workforce. Any problems should be reported to the Executive Office or the Human Resources Department at (617) 796-1260.

Your attendance and participation is an important part of your appointment and, therefore, while at these meetings, you must be courteous and respectful at all times. It is essential that board and commission members treat citizens, City employees and other board or commission members with courtesy, respect, and professionalism.

Listen to requests/questions, ask for clarification if necessary, and provide complete, knowledgeable, accurate, precise information regarding inquiries. Work with others to seek solutions to problems.

Disorderly conduct, including intimidating behavior, utilizing obscene, abusive, threatening or intimidating language or action will not be allowed.

As a representative of the City of Newton, you are expected not to discriminate against, or harass, anyone because of his or her sex, physical handicap, sexual orientation, age, color, race, or national origin.

Failure to meet the above guidelines may result in termination of your appointment.

Please feel free to ask questions of the Executive Office or the Human Resources department if you have questions or concerns about your duties.

Print Name: _____

Signature: _____

Date: _____



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Congratulations! You have been selected and appointed by Mayor Warren as a _____ member of the Newton _____, for a term scheduled to expire on _____. We look forward to working with you and we know you will make a meaningful contribution to our city.

To help make your time here a positive and pleasant experience for everyone, we want you to be familiar with the following code of conduct:

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Failure to meet the above guidelines may result in your termination as a member of the _____.

Please feel free to ask questions of the Executive Office or the Human Resources department if you have questions or concerns about of your duties.

Print Name: _____

Signature: _____

Date: _____

DRAFT 5-31-11

CITY OF NEWTON POLICY REGARDING ALLOCATION OF FUNDS RECEIVED FROM HANDICAPPED PARKING FINES TO THE DISABILITIES COMMISSION PURSUANT TO G.L. c.40 § 22G

WHEREAS the City of Newton (the City) has accepted the provisions of G.L. c. 40 § 8J and has established a Commission on Disabilities (the Commission) (Newton Revised Ordinances, § 22-101 through § 22-104, as inserted by Ordinance Z-) ;

WHEREAS G.L. c. 40 § 22G authorizes any city or town which has accepted the provisions of G.L. c. 40 § 8J to allocate to its Commission on Disabilities funds received from fines assessed for violations of handicap parking (funds) to be utilized for the benefit of persons with disabilities;

WHEREAS the purpose of this policy is to set forth a procedure by which the City, acting through the Mayor, in consultation with the Commission, may determine in each fiscal year the amount of such funds, if any, which it will allocate to the City of Newton Disabilities Commission pursuant to G.L. c. 40 § 22G.

NOW THEREFORE the policy is stated as follows:

1. Prior to September 1st in each year, the Commission shall determine and recommend to the Mayor a proposed project or projects which the Commission believes will most benefit persons with disabilities who reside in Newton. The report shall include the estimated cost of such projects.
2. After receiving said report, the Mayor shall meet with the Commission to discuss the recommended project or projects. In consultation with the Commission, the Mayor shall prioritize said projects. Preference shall be given to projects which will assist in making public property and buildings in the City ADA compliant.
3. Prior to April of each year, the Mayor shall determine what portion of the funds, if any, the City will allocate to the Commission in the next fiscal year based on his determination of the overall budget and needs of the City, and shall so notify the Commission. It should be noted that the Board of Aldermen must pass the budget prior to funding the identified projects and it is possible that, while the Board cannot increase the funding amount, they can decrement it.

